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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,545	09/21/2001	Deep K. Buch	42390P11711	5908

8791 7590 07/26/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD  
SEVENTH FLOOR  
LOS ANGELES, CA 90025-1030

EXAMINER
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OPIE, GEORGE L

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/960,545

Examiner

George L. Opie

Applicant(s)

Deep K. Buch

Art Unit

2126

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 July 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either a timely filed amendment which places the application in condition for allowance or a Notice of Appeal. Alternatively, applicant may obtain further examination by timely filing a request for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d).

**PERIOD FOR REPLY [check only a) or b)]**

- a) \_\_\_ The period for reply expires \_\_\_ months from the mailing date of the final rejection.  
b) X In view of the early submission of the proposed reply (within two months as set forth in MPEP § 707.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Extensions of time may be obtained under 37 CFR 1.136 (a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked.

1. \_\_\_ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37CFR 1.191(d)), to avoid dismissal of the appeal.
2. \_\_\_ The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees.
3. \_\_\_ The proposed amendment(s) will not be entered because:
- (a) X they raise new issues that would require further consideration and/or search. (see NOTE below);
- (b) \_\_\_ they raise the issue of new matter. (see Note below);
- (c) X they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) \_\_\_ they present additional claims without canceling a corresponding number of finally rejected claims.
- NOTE: because the added limitations to claims 1, 11, 15, 18, 21 & 24 were not claimed in combination with these claims previously, the amendment is presenting claims of new/different scope.
4. \_\_\_ Applicant's reply has overcome the following rejection(s): w
5. \_\_\_ Newly proposed or amended claim(s) \_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
6. \_\_\_ The a) \_\_\_ affidavit, b) \_\_\_ exhibit, or c) \_\_\_ request for reconsideration has been considered but does NOT place the application in condition for allowance because:
7. \_\_\_
8. X For purposes of Appeal, the status of the claim(s) is as follows (see attached written explanation, if any):
- Claim(s) allowed: none.
- Claim(s) objected to: none.
- Claim(s) rejected: 1-30.
- Claim(s) withdrawn from consideration: none.
9. \_\_\_ The proposed drawing correction filed on \_\_\_\_\_ a) \_\_\_ has b) \_\_\_ has not been approved by the Examiner.
10. \_\_\_ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_.



**SUE LAO**  
PRIMARY EXAMINER

RD